

Kerala Gazette No. 43 dated 29th October 2019.

PART I

Section i



GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 4847/Leg.Pbn.2/2019/Law. *Dated, Thiruvananthapuram, 15th March 2019.*

The following Ordinance, promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section I dated the 21st day of February, 2019 is hereby republished for general information.

By order of the Governor,

B. G. HARINDRANATH,
Law Secretary.

MINISTRY OF LAW AND JUSTICE**(Legislative Department)***New Delhi, the 21st February, 2019/Phalgun 2, 1940 (Saka).***THE INDIAN MEDICAL COUNCIL (AMENDMENT)****SECOND ORDINANCE, 2019****[No. 5 OF 2019]**

Promulgated by the President in the Seventieth Year of the Republic of India.

AN**ORDINANCE**

further to amend the Indian Medical Council Act, 1956.

WHEREAS the Indian Medical Council (Amendment) Ordinance, 2018 was promulgated by the President on the 26th day of September, 2018;

AND WHEREAS the Indian Medical Council (Amendment) Bill, 2018 to replace the said Ordinance was introduced in the House of the People on 14th December, 2018 and the said Bill was considered and passed in the said House on 31st December, 2018;

AND WHEREAS the Indian Medical Council (Amendment) Bill, 2018 could not be taken up for consideration and passing in the Council of States;

AND WHEREAS the Indian Medical Council (Amendment) Ordinance, 2018 would cease to operate in view of the provisions of sub-clause (a) of clause (2) of article 123 of the Constitution, the Indian Medical Council (Amendment) Ordinance, 2019 was promulgated by the President on the 12th day of January, 2019;

AND WHEREAS the Indian Medical Council (Amendment) Bill, 2018, as passed by the House of the People, could not be taken up for consideration and passing in the Council of States;

AND WHEREAS the Indian Medical Council (Amendment) Ordinance, 2019 would cease to operate on the 13th day of March, 2019;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Indian Medical Council (Amendment) Second Ordinance, 2019.

(2) (A) The provisions of this Ordinance shall, except sub-clause (i) of clause (c) of section 2, be deemed to have come into force on the 26th day of September, 2018; and

(B) sub-clause (i) of clause (c) of section 2 shall be deemed to have come into force on the 12th day of January, 2019.

2. *Amendment of section 3A.*—In section 3A in of the Indian Medical Council Act, 1956 (102 of 1956),—

(a) in sub-section (1), for the words, brackets and figures “Indian Medical Council (Amendment) Act, 2010”, the words, brackets and figures “Indian Medical Council (Amendment) Second Ordinance, 2019” shall be substituted;

(b) in sub-section (2), for the words “three years”, the words “two years” shall be substituted;

(c) in sub-section (4),—

(i) for the words “seven persons”, the words “twelve persons” shall be substituted;

(ii) for the words “and medical education”, the words “and medical education or proven administrative capacity and experience” shall be substituted;

(d) after sub-section (7), the following sub-section shall be inserted, namely:—

“(7A) The Board of Governors shall be assisted by a Secretary General who shall be appointed by the Central Government on deputation or contract basis and he shall be the head of the secretariat in the Council.”.

3. *Repeal and savings.*—(1) The Indian Medical Council (Amendment) Ordinance, 2019 (Ord. 2 of 2019) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Indian Medical Council Act, 1956, (102 of 1956) as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the said Act, as amended by this Ordinance.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
